

Message Text

CONFIDENTIAL

PAGE 01 TOKYO 00636 170624Z

20

ACTION EA-10

INFO OCT-01 EUR-12 ISO-00 FEA-01 AID-05 CEQ-01 CIAE-00

COA-01 COME-00 DODE-00 EB-07 EPA-01 INR-07 IO-10 L-02

NSF-01 NSC-05 NSAE-00 PM-03 RSC-01 OES-03 SS-15 SP-02

DLOS-03 PA-01 PRS-01 USIA-06 DOTE-00 FMC-01 CG-00

/100 W

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R 170538Z JAN 75

FM AMEMBASSY TOKYO

TO SECSTATE WASHDC 7351

INFO AMEMBASSY JAKARTA

AMEMBASSY SINGAPORE

AMEMBASSY KUALA LUMPUR

AMEMBASSY LONDON

AMEMBASSY PARIS

AMEMBASSY MOSCOW

AMEMBASSY MANILA

C O N F I D E N T I A L TOKYO 0636

E.O. 11652: GDS

TAGS: PLOS, PFOR, JA, ID, MY, SN

SUBJ: SHOWA MARU AND LOS

REF: JAKARTA 0471

1. SUMMARY. THOUGH STILL CAUTIOUS, FONOFF CONCLUDES SHOWA MARU OIL SPILL INCIDENT WILL NOT CAUSE GOI AND GOM TO GO BEYOND REITERATING POSITION HELD SINCE 1971 THAT SAFETY OF NAVIGATION IN STRAIT OF MALACCA IS RESPONSIBILITY OF THE COASTAL STATES CONCERNED. GOJ HAS TOLD RIPARIAN STATES THAT COST OF CLEANUP IS PRIVATE CIVIL MATTER. WHILE HOPING THAT THEY WILL NOT BE ASKED, GOJ AND CONCERNED INDUSTRY GROUP ARE NOT OPPOSED IN PRINCIPLE TO REROUTING SIGNIFICANT TONNAGE OF TANKER FLEET THROUGH LOMBOK/MAKASSAR

CONFIDENTIAL

CONFIDENTIAL

PAGE 02 TOKYO 00636 170624Z

STRAITS PROVIDED ADEQUATE MARINE SURVEYS MADE IN ADVANCE.

FONOFF IS ADOPTING "WAIT AND SEE" ATTITUDE ON CONSEQUENCES SHOWA MARU OIL SPILL AND HAS NOT ISSUED INSTRUCTIONS TO RESIDENT AMBASSADORS ON WIDER IMPLICATIONS OF INCIDENT ON FREE TRANSIT ISSUE. END SUMMARY.

2. SAIKI, DIRECTOR ASIAN BUREAU REGIONAL PLANNING DIVISION, BRIEFED EMBOFFS JAN 14 RE FONOFF ASSESSMENT OF POSSIBLE ADVERSE IMPACT OF SHOWA MARU INCIDENT ON FREE TRANSIT PRINCIPLE IN LOS CONTEXT. ON BASIS OF PANGGABEAN-SUNOBE DISCUSSION (REFTEL) AND MALIK AND NIMPUNO PRESS CONFERENCES, SAIKI IS OPTIMISTIC THAT GOI IS NOT RPT NOT ACTIVELY CONTEMPLATING UNILATERAL AND FORMAL ACTION ALONE OR IN CONCERT WITH GOM WHICH WOULD REQUEST GOJ TO ADVISE OIL TANKER INDUSTRY UNDER TIS CONTROL TO LIMIT TONNAGE AND REROUTE LARGE TANKERS. SAIKI BELIEVES PROSPECT OF ALL THREE RIPARIAN STATES JOINTLY MAKING FORMAL AND UNILATERAL REQUEST IS SLIM BECUASE SINGAPORE HAS SHOWN NO SIGN OF CHANGING ITS LAISSEZ-FAIRE POLICY.

3. SAIKI SAID THAT RESIDENT AMBASSADORS HAVE BEEN INSTRUCTED TO TELL CONCERNED GOVERNMENTS THAT WHILE GOJ WILL LEND ALL ASSISTANCE POSSIBLE IN CLEANUP, COSTS OF CLEANUP ARE A CIVIL MATTER WHICH MUST BE BORNE BY THE SHIPPING COMPANY AND ITS INSURER. HOWEVER, SAIKI EXPRESSED PRIVATE CONCERN THAT THE INDONESIANS AND MALAYSIANS WOULD MIX UP THIS CIVIL MATTER WITH OTHER BILATERAL POLITIAL AND ECONOMIC ISSUES AS WELL AS THE BROADER PRINCIPLE OF FREE AND UNIMPEDED USE OF INTERNATIONAL STRAITS IN THE LOS CONTEXT. GOJ HAS NOT ISSUED ANY NEW INSTRUCTIONS ON IMPLICATIONS OF INCIDENT FOR FREE TRANSIT PRINCIPLE TO AMBASSADORS IN THREE COUNTRIES.

4. HOWEVER, SAIKI EXPRESSED DISMAY THAT GOI CONTINUES TO HARP ON ALLEGEDLY GREATER RISK INCURRED BY TANKERS OVER 200,000 TONS. GOJ BELIEVES RELEVANT QUESTION IS DRAFT AND NOT TONNAGE. MALACCA STRAITS CAN BE SAFELY TRANSITTED BY SHIPS UP TO 23 METERS DRAFT. SOME TANKERS IN OVER 200,000 TON CLASS HAVE SLIGHTLY OVER 21 METER DRAFT, BUT MOST AVERAGE BETWEEN 19 AND 20 METERS. SAIKI NOTED THAT GOJ HAS BEEN COOPERATING AND ASSISTING RIPARIAN STATES
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PAGE 03 TOKYO 00636 170624Z

IN SURVE OF MALACCA STRAITS IN PREPARATION FOR SEPARATION SCHEME AS PROPOSED BY IMCO. WITH COMPLETION OF SURVEY, SAIKI SAID SEPARATION SCHEME MAY BE READY FOR APPROVAL AT JUNE, 1975 IMCO MEETING.

5. SAKI INDICATED THAT GOJ IS NOT OPPOSED IN PRINCIPLE TO REROUTING LARGE NUMBERS OF TANKERS THROUGH LOMBOK/ MAKASSAR STRAITS IF THIS ROUTE DEMONSTRATABLY SAFER THAN

MALACCA STRAIT. HE NOTED THREE TANKERS CURRENTLY USE LOMBOK/MAKASSAR ROUTE TO JAPAN ON REGULAR BASIS. (SAIKI STATEMENT BACKED BY JAN 14 ASAHI ARTICLE STATING THAT OIL REFINING AND SHIPPING INDUSTRY GROUP HAVE CONCLUDED REROUTING WOULD ONLY marginally INCREASE DOMESTIC RETAIL OIL PRICES.) HOWEVER, SAIKI EMPHASIZED THAT BEFORE COMPLETION OF MAJOR SURVEY EFFORT (SCHEDULED TO BEGIN MID-1975 WITH COMPLETION MID-1976) IN LOMBOK/MAKASSAR STRAITS, REROUTING SIGNIFICANT PERCENTAGE OF TONNAGE TO THESE STRAITS WOULD PROBABLY BE MORE DANGEROUS THAN CONTINUED USE OF CONGESTED MALACCA STRAITS. REROUTING OF OVER 200,000 TON CLASS TANKERS (40 PERCENT OF TONNAGE ACCORDING TO PRESS) WOULD INCREASE TOTAL OIL FREIGHT RATES SIX TO NINE PERCENT AND WOULD ADD 0.2 PERCENT TO PRICE OF OIL IN JAPAN.

6. SAIKI EXPRESSED ANXIETY THAT SHOWA MARU AND SIMILAR INCIDENTS IN OTHER STRAITS USED FOR INTERNATIONAL SHIPPING MAY ADVERSELY AFFECT ACCEPTABILITY OF GROUP OF FIVE POSITION IN FAVOR OF FREE AND UNIMPEDED PASSAGE OF INTERNATIONAL STRAITS IN LOS CONFERENCE. REFERRING TO 1964 LAW OF TERRITORIAL WATERS, SAIKI NOTED THAT IN THAT CONTEXT FREE PASSAGE RIGHT IS NOT ABSOLUTE, BEING SUBJECT TO COASTAL STATES' SAFETY AND ADMINISTRATIVE REGULATIONS.

7. COMMENT: SAIKI BRIEFING OCCURRED AT EMBASSY OFFICER'S REQUEST FOR INFORMAL TALK ON WIDER IMPLICATIONS OF SHOWA MARU INCIDENT. IT WAS NOT A FORMAL STATEMENT OF JAPANESE POLICY. ANY IMPLICATIONS THAT WE MIGHT DRAW FROM HIS REMARKS, I.E. THAT PRACTICAL CONSIDERATIONS LIKE NAVIGATION AND POLLUTION HAZARDS MAY COMPLICATE IMPLEMENTATION OF UNIMPEDED PASSAGE CONCEPT, SHOULD BE READ WITH THIS IN MIND. JAPAN'S POSITION ON LAW OF SEA ISSUES REMAINS CONFIDENTIAL

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PAGE 04 TOKYO 00636 170624Z

SAME AS BEFORE, THOUGH FINAL IMPACT OF INCIDENTS LIKE SHOWA MARU HAS YET TO BE FELT.
HODGSON

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Message Attributes

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